

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

CLINE et al

Serial No. 09/913,955

Atty Dkt. 163-35

C# M#

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FEB 13 2002  
38  
PATENT & TRADEMARK OFFICE

Group Art Unit:

Examiner:

Filed: August 21, 2001

Date: February 13, 2002

Title: COMPOSITION, METHODS AND REAGENTS FOR THE SYNTHESIS OF A SOLUBLE FORM OF HUMAN PHEX

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

**CORRECTION OF ERROR IN SMALL ENTITY STATUS**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

**Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number  
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number  
previously paid for 3 (at least 3) = 0 x \$ 84.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00)  
 Please enter the previously unentered , filed  
 Submission attached

**Subtotal** \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract  
 Applicant claims "small entity" status.  Statement filed herewith -\$ 0.00

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

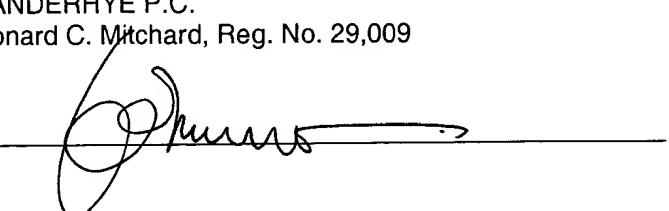
Other: Fee deficiency 720.00

**TOTAL FEE ENCLOSED** \$ 720.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
 Arlington, Virginia 22201-4714  
 Telephone: (703) 816-4000  
 Facsimile: (703) 816-4100  
 LCM:iks

NIXON & VANDERHYE P.C.  
 By Atty: Leonard C. Mitchard, Reg. No. 29,009

Signature: 



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\* \* \* \* \*

February 13, 2002

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**CORRECTION OF ERROR IN SMALL ENTITY STATUS**

It has been discovered that the small entity status of the present application as filed was inadvertently established in error. Pursuant to 37 C.F.R. 1.28(c), the Applicants hereby request that the error be excused and submit herewith the deficiency payment as required by 37 C.F.R. 1.28(c)(2).

Pursuant to 37 C.F.R. 1.28(c)(2)(ii), the total deficiency payment is itemized as follows:

(A) the filing fee and claims fee were erroneously paid as a small entity; the correct fee (large entity) based on current rates is \$1400.00;

(B) the small entity fee actually paid was \$680;

(C) the deficiency owed amount is \$720.00; and

02/14/2002 SLUANE 00000011 09913955

01 FC:680

720.00 0P

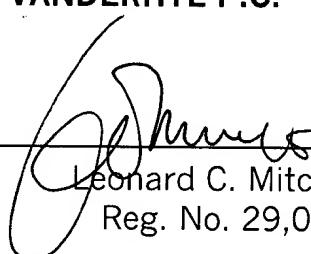
02/14/2002 SLUANE 00000011 09913955 -720.00 0P  
01 FC:680 02/15/2002 KELLEY 00000022 09913955  
602 34 01 FC:680

(D) the total deficiency payment owed is \$720.00.

A check in the amount of \$720.00 is attached. The Commissioner is hereby authorized to charge any deficiency in the fees presented herewith, or to credit any overpayment, to our **Deposit Account No. 14-1140.**

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: 

Leonard C. Mitchard  
Reg. No. 29,009

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